

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY AL AMOUNT OF FEE 399.00

RECEIPT # 200307879

DATE HEARD: 5 10/1/03

BY CZAB # 9

RECEIVED
MAY 14 2003

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY Adriana Garcia
DATE RECEIVED STAMP

This Appeal Form must be completed in accordance with the "Instructions for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 03-3-CZ9-1 (02-319)

Filed in the name of (Applicant) Funeral Services Acquisition Group Inc.

Name of Appellant, if other than applicant same as above

Address/Location of APPELLANT'S PROPERTY:

Tract 33 and portions of Tracts 34 and 35 of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1" of Section 29, Township 53 South, Range 40, according to the plat thereof as recorded in Plat Book 2, at Page 17 of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

A portion of "LAKESIDE MEMORIAL PARK NEGEV GARDENS" according to the plat thereof as recorded in Plat Book 90, at Page 45 of the Public Records of Miami-Dade County, Florida, and a portion of "LAKESIDE MEMORIAL PARK AKIBA GARDENS", according to the plat thereof as recorded in Plat Book 142, at

Page 6 of the Public Records of Miami-Dade County, Florida and including all of "LAKESIDE MEMORIAL PARK SAMARIA GARDENS" according to the plat thereof as recorded in Plat Book 142, at Page 9 of the Public Records of Miami-Dade County, Florida being more particularly described as follows:

Begin at the center of said Section 29; thence run S. 01°26'22"E., along the East line of the S.W. ¼ of said Section 29, for 329.66 feet; thence N. 89°55'00"W. for 55.84 feet; thence S. 01°26'22"E. for 15.71 feet (the previous two courses were coincident with a portion of the Northerly boundary of "LAKESIDE MEMORIAL PARK GALILEE GARDENS", according to the plat thereof as recorded in Plat Book 91, at Page 3 of the Public Records of Miami-Dade County, Florida); thence West, along the aforesaid Northerly boundary and along the Northerly boundary of said "LAKESIDE MEMORIAL PARK NEGEV GARDENS", 332.95 feet; thence South, in part, along the Westerly boundary of said "LAKESIDE MEMORIAL PARK NEGEV GARDENS", for 317.14 feet; thence West for 920.79 feet; thence N. 01°24'06"W., along the West line of the East ½ of the S.W. ¼ of said Section 29, for 664.68 feet; thence S. 89°54'22"E., along the North line of the S.W. ¼ of said Section 29, for 1317.16 feet to the point of Beginning.

Application, or part of Application being Appealed (Explanation):

Entire appealable application.

Appellant (name): Funeral Services Acquisition Group, Inc. hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows: (State in brief and concise language)

1. That applicants request is consistent with the Miami-Dade County (hereinafter "County") Comprehensive Master Plan (hereinafter "Master Plan") and consistent with the surrounding development and community, and
2. That applicants request is recommended without qualification by the professional staff of the County, and

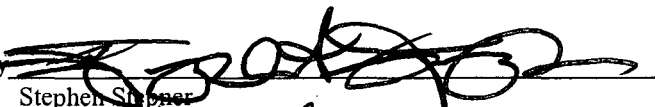
3. That there is a lack of substantial, competent evidence on the record before the Community Council that there is a legitimate public purpose supporting denial of the application and thus the refusal to grant the zoning requested under the application is arbitrary, and unreasonable, and
4. The decision of the Community Council did not suggest any reasonable use of the Property in accordance with the existing Master Plan designation of the Property, and
5. The Covenant and Site Plan voluntarily proffered by Applicant at the Community Council hearing eliminated all potentially adverse effects of the proposed development on the surrounding community as determined not only by Applicant's experts but also by the County's professional staff.

For all of the above reasons and in accordance with Applicant's evidentiary record before the Community Council at the hearing on May 1, 2003 the decision of the Community Council should be reversed by the County and applicants requested Zoning should be approved.

APPELLANT MUST SIGN THIS PAGE

Date: 13 day of may, year: 2003

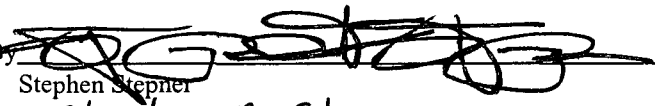
Funeral Services Acquisition Group, Inc.

By 
Stephen Steiner
Stephen A. Steiner
Print Name
8323 NW 12 St #111 Miami, FL 33126
Mailing Address
305-7188421 305-7188649
Phone Fax


REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

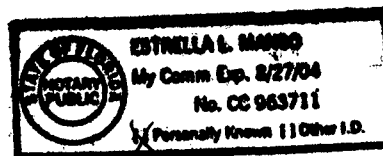
Representing: Funeral Services Acquisition Group, Inc.

By 
Stephen Steiner
Stephen A. Steiner
Print Name
8323 NW 12 Street #111
Mailing Address
Miami FL 33126
City State Zip
305-7188421
Telephone Number

Subscribed and Sworn to before me on the 13 day of may, year 2003


Notary Public
(stamp/seal)

Commission expires:



APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF FLORIDA
COUNTY OF DADE

BEFORE ME the undersigned authority personally appeared STEPHEN STEPNER, as representative of Funeral Services Acquisition Group, Inc. (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☒ 1. Participation at the hearing
☐ 2. Original Applicant
☐ 3. Written objection waiver or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Maria I. Hernandez
Signature

MARIA I. Hernandez
Print Name

Andres Miyares
Print Name

Andres Miyares
Signature

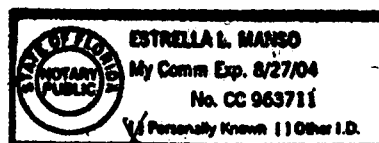
Stephen A. Stepner
Appellant's signature

Stephen A. Stepner
Print Name

Sworn to and subscribed before me on the 13 day of may, year 2003.

Appellant is personally known to me or has produced _____ as identification.

Esao Oller
Notary
(Stamp/Seal)
Commission Expires:



Sec. 29 Twp. 53 Rge. 40

Receipt # X

ZONING HEARING APPLICATION

MIAMI-DADE COUNTY

ALL FOLIO NUMBERS ARE REQUIRED

30- 3029-001-0350

30-3029-081-0010

30-3029-001-0330

RECEIVED
202-319
NOV 12 2002

RECEIVED
202-288
OCT 02 2002

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

Date Received Stamp

PLEASE TYPE OR PRINT LEGIBLY, IN INK, ALL INFORMATION ON APPLICATION

1. Name of Applicant Funeral Services Acquisition Group, Inc., a Florida corporation f/k/a
LM Park, Inc., a Florida corporation

a. if applicant is owner, give name exactly as recorded on deed.

b. if applicant is lessee, attach copy of valid lease of 1 year or more and Owner's Sworn-to-Consent form.

c. if applicant is corporation, partnership, limited partnership, or trustee, a separate Disclosure of Interest from must be completed.

Mailing Address 17250 W. Dixie Highway, North Miami Beach, Florida 33160

City Miami State Florida Zip 33172

Tel. # (during working hours) _____ Other _____

2. Name of Property Owner Same as above

Mailing Address _____

City _____ State _____ Zip _____

Tel. # (during working hours) _____ Other _____

3. Contact Person Alfredo L. Gonzalez

Mailing Address Adorno & Yoss, P.A., 2601 S. Bayshore Drive, Suite 1600

City Miami State Florida Zip 33133

Tel. # (during working hours) (305) 858-5555 Other _____

E-Mail Address alg@adorno.com FAX (305) 858-4777

4. LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THE APPLICATION

a. if subdivided, provide lot, block, complete name of subdivision, plat book and page number.

b. if metes and bounds description, provide complete description, (including section, township and range).

c. submit 7 copies of a survey if property is odd-shaped (1" to 300' scale).

d. if separate requests apply to different areas, provide the legal description of each area covered by a separate request.

e. attach a separate, typed sheet if necessary. Verify the legal is correct.

See Exhibit "A" attached hereto and made a part hereof.

5. Address or location of subject property: N.W. 33rd Street between N.W. 102 and 104 Avenues

6. Size of property: _____ ft. X _____ ft. Acres approx. 17.18 (see Survey)

7. Date subject property acquired ☒ or leased ☐ 25 day of April, 1996

Term of lease _____ years/months.

8. Does property owner own contiguous property to the subject property? If so, give complete legal description of entire contiguous property. (If lengthy, please type on a sheet labeled "Contiguous Property".
Yes, See Exhibit "B" attached hereto and made a part hereof.

9. Is there an option to purchase ☐ or lease ☐ the subject property or property contiguous thereto?
☐ yes or ☐ no

If yes, who are the potential purchasers or lessees? (Complete section of Disclosure of Interest form, also.) _____

10. Present zoning classification(s): GU

11. REQUEST(S) COVERED UNDER THIS APPLICATION:

Please check the appropriate box and give a brief description of the nature of the request in the space provided. Be advised that all zone changes require a special exception to permit site plan approval except for rezoning to residential of 3 acres or less.

- ☒ District Boundary (Zone) Change(s): IU-1
Zone classifications requested _____
- ☐ Special Exception to permit Site Plan Approval for _____
- ☐ Unusual Use _____
- ☐ Use Variance _____
- ☐ Non-use Variance _____
- ☐ Special Exception _____
- ☐ Modification of previous resolution/plan _____
- ☐ Modification of Declaration or Covenant _____

12. Has a public hearing been held on this property within the last year & a half? ☐ yes ☒ no

If yes, applicant's name _____

Date of hearing _____

Nature of hearing _____

Decision of hearing _____

Resolution # _____

13. Is this hearing being requested as a result of a violation notice? ☐ yes ☒ no

If yes, give name to whom violation notice was served _____

Nature of violation _____

14. Are there any existing structures on the property? ☐ yes ☒ no

If yes, briefly describe _____

15. Is there any existing use on the property? ☐ yes ☒ no

If yes, what is the use and when was it established? Use: _____

Established: _____

**APPLICANT'S AFFIDAVIT
OWNER OR TENANT AFFIDAVIT**

I, _____, being first duly sworn, depose and say that I am the
☐ owner ☐ tenant of the property described and which is the subject matter of the proposed hearing;
that all the answers to the questions in this application, and all sketch data and other supplementary
matter attached to and made a part of the application are honest and true to the best of my knowledge
and belief. I understand this application must be complete and accurate before the application can be
submitted and the hearing advertised.

Sworn to and subscribed to before me
this _____ day of _____, _____

Signature

Notary Public

Commission Expires _____

CORPORATION AFFIDAVIT

We, John LaJoy, being first duly sworn, depose and say that we are the
☐ President ☒ Vice President, and ☐ Secretary ☐ Asst. Secretary of the aforesaid corporation, and
as such, have been authorized by the corporation to file this application for public hearing; that all
answers to the questions in said application and all sketches, data and other supplementary matter
attached to and made a part of this application are honest and true to the best of our knowledge and
belief; that said corporation is the ☐ owner ☐ tenant of the property described herein and which is the
subject matter of the proposed hearing. We understand this application must be complete and
accurate before the application can be submitted and the hearing advertised.

(Corp. Seal)

ATTEST: _____

President's Signature

Secretary's Signature

Sworn to and subscribed to before me
this _____ day of _____, _____

Notary Public

Commission Expires _____

PARTNERSHIP AFFIDAVIT

We, the undersigned, being first duly sworn depose and say that we are partners of the hereinafter
named partnership, and as such, have been authorized to file this application for a public hearing; that
all answers to the questions in said application and all sketches, data, and other supplementary matter
attached to and made a part of this application are honest and true to the best of our knowledge and
belief; that said partnership is the ☐ owner/ ☐ tenant of the property described herein which is the
subject matter of the proposed hearing. We understand this application must be complete and
accurate before the application can be submitted and hearing advertised.

By _____ %
By _____ %

Name of Partnership)
By _____ %
By _____ %

Sworn to and subscribed to before me
this _____ day of _____, _____

Notary Public
Commission Expires _____

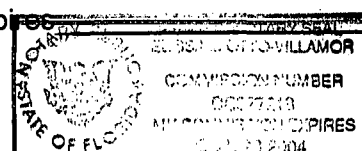
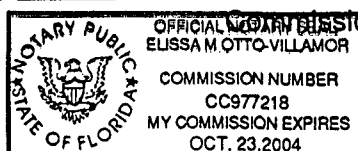
ATTORNEY AFFIDAVIT

I, Alfred L. Gonzalez, being first duly sworn, depose and say that I am a State of Florida
Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject
matter of the proposed hearing; that all answers to the questions in this application, and all sketch data
and other supplementary matter attached and made a part of this application are honest and true to the
best of my knowledge and belief. I understand this application must be complete and accurate before
the application can be submitted and the hearing advertised.

Sworn to and subscribed to before me
this 2nd day of Oct, 2002

Signature

Notary Public



PH # _____

Notice to all Applicants

Advisories from the County Attorney's Office

Advisory 1

A recent decision of the Third District Court of Appeal has ruled that zoning applications that are inconsistent with the Comprehensive Development Master Plan cannot be approved by a zoning board based upon considerations of fundamental fairness.


Applicants are advised that if their hearing request is inconsistent with the Comprehensive Development Master Plan and they decide to go forward with the public hearing they cannot be approved under considerations of fundamental fairness, but can only be denied or deferred.

Advisory 2

In *Miami-Dade County v. Omnipoint Holdings, Inc.*, Case No. 3D01-2347 (Fla. 3rd DCA 2002), the Third District Court of Appeal has held invalid the standards for non-use variances, special exceptions, unusual uses, new uses requiring a public hearings and modifications of conditions and covenants. The County Attorney's Office is seeking review of the decision in the Florida Supreme Court, as well as a stay of the decision's effect. While the case is pending, the decision is in effect and binding on all parties. Its impact is to suspend consideration of zoning applications for most special exceptions, unusual uses, non-use variances and modification of conditions and covenants. In the interim, County staff have developed and proposed to the Board of County Commissioners certain ordinances that would provide interim standards for limited categories of applications. If these standards are enacted, certain applications may be able to proceed to hearing. However, absent a reversal by the courts or enactment of revised regulations, pending applications will not be able to proceed to hearing until the disposition of the pending litigation.

By signing below the applicant acknowledges that they have read and understood this Notice.

Funeral Services Acquisition Group, Inc.,
a Florida corporation

 a attorney for
the above Corporation

10/2/2007

Date

ALFREDO L. GONZALEZ
Print name

Date: ____ / ____ / ____

Public Hearing No: _____

RESPONSIBILITIES OF THE APPLICANT
PLEASE READ CAREFULLY BEFORE SIGNING.

I hereby acknowledge that I am aware that the Department of Environmental Resources Management (DERM), the Public Works Department, and other County agencies review each zoning application and proffer comments that may affect its scheduling and outcome. These comments sometimes include requirements for an additional public hearing before DERM's Environmental Quality Control Board, (the EQCB) or other County boards, and/or the preparation and execution of agreements to run with the land which are recorded, prior to scheduling. I understand that it is my responsibility as the applicant or applicant's representative to promptly follow through with the Compliance of DERM or Public Works requirements or to advise this office in writing if the application will not go forward and may be considered *withdrawn*. Contact with the above mentioned agencies is advised prior to and during the hearing process. You may obtain the telephone numbers and locations of the reviewing departments at the Zoning Hearings Section Counter.

Fees: Further I understand that the hearing fees paid at the time of filing may not be the total cost of the hearing, that I will be advised of the following fees which must be paid promptly:

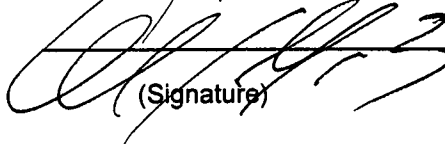
1. additional radius fee. Certain requests require that notices be mailed to all property owners within a ½ mile and in some instances, a mile of the subject property. The number of actual property owners is determined by computer and you will receive a bill for the additional radius fees approximately one month after filing.
2. revision fee, deferral or readvertising fee (if applicant requests deferral), and/or
3. other fees assessed for changes or additions to the hearing application or plans.

I am aware that applications withdrawn within 60 days of the date of filing are eligible for refund of 50% of the hearing fee. After that time, hearings that are withdrawn or returned for inaction will *not* be eligible for a refund.

Permit Requirements: I also understand that the South Florida Building Code may contain requirements that affect my ability to obtain a required building permit from the Building Department (10th Floor) for my project, even if my zoning application is approved at public hearing. I am aware that a Building Permit is required for almost all construction and that I am responsible for obtaining any required permits, all required inspections, and the Certificate of Use and Occupancy or Certificate of Completion for any and all structures and additions whether proposed or existing without permits. Additionally, I am aware that a Certificate of Use and Occupancy must be obtained for the use of the property, after it has been approved at Zoning Hearing, and that failure to obtain the required permits and/or Certificates of Completion or Use and Occupancy will result in the initiation of Enforcement action against the occupant and owner. I further understand that submittal of the Zoning Hearing application will not necessarily forestall enforcement action against the property.

Residential construction within 2 miles of a Blasting Site: Persons applying for a residence or residential development located within two miles of a permitted rock mining operation where blasting is permitted must record in the public records of Miami-Dade County a notice that the proposed development is within two miles of the blasting site, prior to the issuance of the first development permit. The notice must provide the location of the blasting site and state that such blasting is regulated by Chapter 13 of the Code of Miami-Dade County. Notice must be given to and signed by buyers with purchase contracts within the development. Maps showing permitted rock mining operations where blasting is permitted in Miami-Dade County are available in the Department of Planning and Zoning (DP&Z) and in the Public Works Department. Any developer may request a written opinion from the Director of Public Works as to whether a development is located within the two-mile area.

Funeral Services Acquisition Group, Inc., a
Florida corporation f/k/a LM Park, Inc.

 *ac attorney for the above Corp*
(Signature)

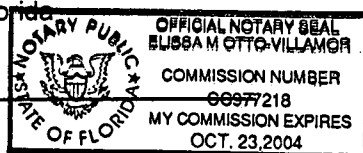
Notary: Sworn to and subscribed before me this
2 day of October, 2002.

(Print Name)



Notary Public - State of Florida

My commission expires



ANN ELIZABETH WATSON
A NOTARY PUBLIC IN AND FOR
THE PROVINCE OF ONTARIO

RECEIVED
202-288
OCT 02 2002

LEGAL DESCRIPTION

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BEACON AT DORAL PARK

BY BC

Tract 33 and portions of Tracts 34 and 35 of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1" of Section 29, Township 53 South, Range 40, according to the plat thereof as recorded in Plat Book 2, at Page 17 of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

A portion of "LAKESIDE MEMORIAL PARK NEGEV GARDENS" according to the plat thereof as recorded in Plat Book 90, at Page 45 of the Public Records of Miami-Dade County, Florida, and a portion of "LAKESIDE MEMORIAL PARK AKIBA GARDENS", according to the plat thereof as recorded in Plat Book 142, at Page 6 of the Public Records of Miami-Dade County, Florida and including all of "LAKESIDE MEMORIAL PARK SAMARIA GARDENS" according to the plat thereof as recorded in Plat Book 142, at Page 9 of the Public Records of Miami-Dade County, Florida being more particularly described as follows:

Begin at the center of said Section 29; thence run S. 01°26'22"E., along the East line of the S.W. ¼ of said Section 29, for 329.66 feet; thence N. 89°55'00"W. for 55.84 feet; thence S. 01°26'22"E. for 15.71 feet (the previous two courses were coincident with a portion of the Northerly boundary of "LAKESIDE MEMORIAL PARK GALILEE GARDENS", according to the plat thereof as recorded in Plat Book 91, at Page 3 of the Public Records of Miami-Dade County, Florida); thence West, along the aforesaid Northerly boundary and along the Northerly boundary of said "LAKESIDE MEMORIAL PARK NEGEV GARDENS", 332.95 feet; thence South, in part, along the Westerly boundary of said "LAKESIDE MEMORIAL PARK NEGEV GARDENS", for 317.14 feet; thence West for 920.79 feet; thence N. 01°24'06"W., along the West line of the East ½ of the S.W. ¼ of said Section 29, for 664.68 feet; thence S. 89°54'22"E., along the North line of the S.W. ¼ of said Section 29, for 1317.16 feet to the point of Beginning.

EXHIBIT "B"

LEGAL DESCRIPTION:

Tract 33 and portions of Tracts 34 and 35, 'FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1' of Section 29, Township 53 South, Range 40 East, as recorded in Plat Book 2 at Page 17.

TOGETHER WITH:

A portion of "LAKESIDE MEMORIAL PARK NEGEV GARDENS" as recorded in Plat Book 90 at Page 45 and a portion of "LAKESIDE MEMORIAL PARK AKIBA GARDENS" as recorded in Plat Book 142 at Page 6 and including all of "LAKESIDE MEMORIAL PARK SAMARIA GARDENS" as recorded in Plat Book 142 at Page 9 all of the Public Records of Dade County, Florida, being more particularly described as follows:

Begin at the center of said Section 29; thence South 01 degrees 26 minutes 22 seconds East, along the East line of the Southwest 1/4 of said Section 29, for 329.66 feet; thence North 89 degrees 55 minutes 00 seconds West for 55.84 feet; thence South 01 degrees 26 minutes 22 seconds East for 15.71 feet (the previous two courses were coincident with a portion of the Northerly boundary of "LAKESIDE MEMORIAL PARK GALILEE GARDENS" as recorded in Plat Book 91 at Page 3 of the Public Records of Dade County, Florida); thence West, along the aforesaid Northerly boundary and along the Northerly boundary of said "LAKESIDE MEMORIAL PARK NEGEV GARDENS", for 317.14 feet; thence South, in part, along the Westerly boundary of said "NEGEV GARDENS", for 317.14 feet; thence West for 920.79 feet; thence North 01 degrees 24 minutes 06 seconds West, along the West line of the East 1/2 of the Southwest 1/4 of said Section 29, for 664.68 feet; thence South 89 degrees 54 minutes 22 seconds East, along the North line of the Southwest 1/4 of said Section 29, for 1317.16 feet to the Point of

Beginning.

RECEIVED
202319
NOV 12 2002

EXHIBIT "B"

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

That portion of Tracts 33, 34, and 35 in Section 29, Township 53 South, Range 40 East, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", according to the plat thereof recorded in Plat Book 2 at Page 17 of the Public Records of Dade County, Florida, being more particularly described as follows:

BEGIN at the Northeast corner of the Southwest 1/4 of said Section 29 and run South 1 degree 26 minutes 22 seconds East along the East line of the Southwest 1/4 of Section 29 for 329.66 feet to the North line of the plat of "LAKESIDE MEMORIAL PARK GALILEE GARDENS", as recorded in Plat Book 91 at Page 3 of the Public Records of Dade County, Florida; thence run North 89 degrees 55 minutes 00 seconds West for 55.84 feet; thence run South 1 degree 26 minutes 22 seconds East for 15.71 feet, (said last two courses being coincident with the boundary of said "GALILEE GARDENS"); thence run West along the North line of said plat of "GALILEE GARDENS" and along the North line of "LAKESIDE MEMORIAL PARK NEGEV GARDENS" according to the plat thereof recorded in Plat Book 90 at Page 45 of the Public Records of Dade County, Florida, for 332.95 feet; thence run South for 186.37 feet to a Point of Curvature; thence Southerly along a circular curve to the right having a radius of 10.00 feet and a central angle of 69 degrees 04 minutes 59 seconds for an arc distance of 12.06 feet to a Point of Reverse Curvature; thence run Southwesterly, Southerly and Southeasterly, along a circular curve to the left, having a radius of 60.00 feet and a central angle of 138 degrees 09 minutes 58 seconds for an arc distance of 144.69 feet to a Point of Reverse Curvature; thence Southerly along a circular curve to the right having a radius of 10.00 feet and a central angle of 69 degrees 04 minutes 59 seconds for an arc distance of 12.06 feet to a Point of Tangency; thence South, for 159.20 feet (said last five courses being coincident with the Westerly boundary of said plat of "NEGEV GARDENS"); thence run West for 491.00 feet to the East line of "LAKESIDE MEMORIAL PARK AKIBA GARDENS", according to the plat thereof recorded in Plat Book 142 at Page 6 of the Public Records of Dade County, Florida; thence North for 198.67 feet to a point on a curve, said point bearing South 30 degrees East from the radius point of the next described curve; thence Northeasterly, Northerly and Northwesterly along a circular curve to the left having a radius of 30.00 feet and a central angle of 120 degrees for an arc distance of 62.83 feet, (said last two courses being coincident with the Easterly boundary of said plat of "AKIBA GARDENS"); thence run North along the East boundary of "LAKESIDE MEMORIAL PARK SAMARIA GARDENS", according to the plat thereof recorded in Plat Book 142 at Page 9 of the Public Records of Dade County, Florida for 211.02 feet; thence run West along the North line of said plat of "SAMARIA GARDENS" for 437.19 feet to the West line of the East 1/2 of the Southwest 1/4 of the aforesaid Section 29; thence run North 1 degree 24 minutes 06 seconds West along the said West line of the East 1/2 of the Southwest 1/4 of Section 29 for 362.14 feet; thence run South 89 degrees 54 minutes 18 seconds East along the North line of said Southwest 1/4 of Section 29 for 1317.17 feet to the Point of Beginning, lying and being in Dade County, Florida.

A portion of Tracts 36, 61, 62 and 63 in Section 29, Township 53 South, Range 40 East, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION", according to the plat thereof recorded in Plat Book 2 at Page 17 of the Public Records of Dade County, Florida, being more particularly described as follows:

Commence at the Northwest corner of the Southeast 1/4 of Section 29, Township 53 South, Range 40 East and run South 1 degree 26 minutes 22 seconds East along the West line of said Southeast 1/4 of Section 29 for 329.66 feet to the North line of the plat of "LAKESIDE MEMORIAL PARK GALILEE GARDENS", according to the plat thereof, as recorded in Plat Book 91, at Page 3, of the Public Records of Dade County, Florida; thence run South 89 degrees 55 minutes 00 seconds East along the North line of said plat of "GALILEE GARDENS" for 188.77 feet to the Point of Beginning of the parcel hereinafter described; thence continue South 89 degrees 55 minutes 00 seconds East, along the last mentioned course, being the North line of the aforementioned Tract 63 (Plat Book 2, Page 17), for 471.06 feet; thence run South 1 degree 25 minutes 53 seconds East along the West line of the East 1/2 of Tracts 63, 62 and 61 respectively (Plat Book 2, Page 17) for 988.58 feet; thence run North 89 degrees 57 minutes 21 seconds West along the South line of said Tract 61 for 659.66 feet; thence North 1 degree 26 minutes 22 seconds West along the West line of the aforesaid Southeast 1/4 of Section 29 for 19.80 feet; thence West for 56.62 feet; thence North, along the Boundary of "LAKESIDE MEMORIAL PARK MOUNT ZION GARDENS" according to the plat thereof recorded in Plat Book 79 at Page 42 of the Public Records of Dade County, Florida for 110.66 feet; thence East along said boundary of "MOUNT ZION GARDENS" for 221.04 feet; thence North, along the East line of the aforementioned plats of "MOUNT ZION GARDENS" and "GALILEE GARDENS" for 857.97 feet to the Point of Beginning, lying and being in Dade County, Florida.



A portion of Tracts 35, 36, 37 and 38, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1 of Section 29, Township 53 South, Range 40 East, according to the plat thereof as recorded in Plat Book 2 at Page 17, TOGETHER WITH: That portion of said Section 29, included in those certain "LAKESIDE MEMORIAL PARK" plats of "BETH SHOLOM GARDENS", Plat Book 60, Page 77; "SHARON GARDENS", Plat Book 60, Page 73; "BRANDEIS GARDENS", Plat Book 65, Page 50; "JORDAN GARDENS", Plat Book 70, Page 18; "CARMEL GARDENS", Plat Book 75, Page 101; "JUDEA GARDENS", Plat Book 77, Page 11; "MOUNT ZION GARDENS", Plat Book 79, Page 42; "LAKESIDE GARDENS MAUSOLEUM", Plat Book 79, Page 91; "MOUNT ARARAT GARDENS", Plat Book 82, Page 12; "NEGEV GARDENS", Plat Book 90, Page 45; "GALILEE GARDENS", Plat Book 91, Page 3; "MACCABEE GARDENS", Plat Book 94, Page 39; "WEITZMAN GARDENS AMENDED", Plat Book 96, Page 24; "MOUNT SCOPUS AMENDED", Plat Book 96, Page 28; "CANAAN GARDENS", Plat Book 100, Page 26; "MOUNT SINAI GARDENS", Plat Book 100, Page 36; "MOUNT OLIVE GARDENS", Plat Book 102, Page 77; "MOUNT HERMON GARDENS", Plat Book 102, Page 83; "MOUNT TABOR GARDENS", Plat Book 104, Page 74; "MOUNT MORIAH GARDENS", Plat Book 107, Page 51; "JERUSALEM GARDENS", Plat Book 108, Page 86; "GARDEN OF HEROES MAUSOLEUM", Plat Book 109, Page 23; "DEGANIA GARDENS", Plat Book 114, Page 97; "MASSADAH GARDENS", Plat Book 115, Page 10; "TIKVAH GARDENS", Plat Book 116, Page 63; "MERON GARDENS", Plat Book 123, Page 83; "LAKE TIBERIAS GARDENS", Plat Book 125, Page 88; "ISRAELI GARDENS", Plat Book 127, Page 88; "AVIVA GARDENS", Plat Book 139, Page 44; "AKIBA GARDENS", Plat Book 142, Page 6; and "SAMARIA GARDENS", Plat Book 142, Page 9, all of the Public Records of Dade County, Florida, being more particularly described as follows:

Commence at the center of said Section 29; thence South 1 degree 26 minutes 22 seconds East, along the East line of the Southwest 1/4 of said Section 29, for 329.66 feet to the Point of Beginning of the following described parcel; thence South 89 degrees 55 minutes 00 seconds East, along the Northerly Boundary Line of the aforesaid "GALILEE GARDENS", for 183.77 feet; thence South, along the Easterly Boundary Line of said "GALILEE GARDENS" and "MOUNT ZION GARDENS", for 857.97 feet; thence West at right angles to the last and next described courses for 221.04; thence South for 110.66 feet; thence East for 56.62 feet, (said last two courses being coincident with the boundaries of the aforesaid "MOUNT ZION GARDENS" and "BRANDEIS GARDENS" respectively); thence South 1 degree 26 minutes 22 seconds East, along the Easterly Boundary Line of the aforementioned "BRANDEIS GARDENS", "JORDAN GARDENS", "CARMEL GARDENS", "BETH SHOLOM GARDENS", "SHARON GARDENS" AND "JUDEA GARDENS", for 1338.47 feet, (last mentioned course being coincident with the East line of the Southwest 1/4 of said Section 29); thence West, along the Southerly Boundary Line of said "JUDEA GARDENS", "WEITZMAN GARDENS", "CANAAN GARDENS" and "MOUNT OLIVE GARDENS", for 1318.85 feet, (last mentioned course being coincident with the South Line of the Southwest 1/4 of said Section 29); thence North 1 degree 24 minutes 06 seconds West, along the Westerly Boundary Line of said "MOUNT OLIVE GARDENS", "MOUNT HERMON GARDENS", "JERUSALEM GARDENS", "MOUNT MORIAH GARDENS", "DEGANIA GARDENS", "MASSADAH GARDENS", "TIKVAH GARDENS", "MERON GARDENS", "AKIBA GARDENS" and "SAMARIA GARDENS" for 2277.34 feet (last mentioned course being coincident with the Easterly Boundary Line of "DORAL CORPORATE CENTER", according

to the plat thereof as recorded in Plat Book 134 at Page 36 of the Public Records of Dade County, Florida and also being coincident with the West line of the East 1/2 of the Southwest 1/4 of said Section 29); thence East, along the North line of the aforesaid "SAMARIA GARDENS" for 437.19 feet; thence South, along the East line of the said "SAMARIA GARDENS", for 211.02 feet to a point on a curve, said point bears North 30 degrees 00 minutes 00 seconds East, from the radius point of the next described curve; thence Southeasterly, Southerly and Southwesterly, along a circular curve to the right, having a radius of 30.00 feet and a central angle of 120 degrees 00 minutes 00 seconds, for an arc distance of 62.83 feet to a point on said curve; thence South, for 198.67 feet (last mentioned two courses being coincident with the Easterly Boundary lines of the aforesaid "AKIBA GARDENS"); thence East, for 491.00 feet; thence North for 159.20 feet to a Point of Curvature; thence Northwesterly, along a circular curve to the left having a radius of 10.00 feet and a central angle of 69 degrees 04 minutes 59 seconds for an arc distance of 12.06 feet to a Point of Reverse Curvature; thence Northwesterly and Northeasterly, along a circular curve to the right having a radius of 60.00 feet and a central angle of 138 degrees 09 minutes 58 seconds, for an arc distance of 144.69 feet to a Point of Reverse Curvature; thence Northeasterly, along a circular curve to the left having a radius of 10.00 feet and a central angle of 69 degrees 04 minutes 59 seconds for an arc distance of 12.06 feet to a Point of Tangency; thence North for 186.37 feet; thence East for 332.95 feet, (said last mentioned six courses being coincident with the boundary of the aforementioned "NEGEV GARDENS"); thence North 1 degrees 26 minutes 22 seconds West for 15.71 feet; thence South 89 degrees 55 minutes 00 seconds East for 55.83 feet to the Point of Beginning, lying and being in Dade County, Florida, (said last two courses being coincident with the boundary of the aforementioned "GALILEE GARDENS").

LESS AND EXCEPTING THEREFROM:

The East 35.00 feet of the Southeast 1/4 of the Southwest 1/4 of said Section 29, for Road Right-of-Way purposes.

AND LESS:

The South 15.00 feet of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 29, AND The South 20.00 feet of the Southwest 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 29, for canal Right-of-Way purposes.

AND LESS AND EXCEPT:

Tract 33 and portions of Tracts 34 and 35 of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1" of Section 29, Township 53 South, Range 40, according to the plat thereof as recorded in Plat Book 2, at Page 17 of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

A portion of "LAKESIDE MEMORIAL PARK NEGEV GARDENS" according to the plat thereof as recorded in Plat Book 90, at Page 45 of the Public Records of Miami-Dade County, Florida, and a portion of "LAKESIDE MEMORIAL PARK AKIBA GARDENS", according to the plat thereof as recorded in Plat Book 142, at Page 6 of the Public Records of Miami-Dade County, Florida and including all of "LAKESIDE MEMORIAL PARK SAMARIA GARDENS" according to the plat thereof as recorded in Plat Book 142, at Page 9 of the Public Records of Miami-Dade County, Florida being more particularly described as follows:

Begin at the center of said Section 29; thence run S. 01°26'22"E., along the East line of the S.W. ¼ of said Section 29, for 329.66 feet; thence N. 89°55'00"W. for 55.84 feet; thence S. 01°26'22"E. for 15.71 feet (the previous two courses were coincident with a portion of the Northerly boundary of "LAKESIDE MEMORIAL PARK GALILEE GARDENS", according to the plat thereof as recorded in Plat Book 91, at Page 3 of the Public Records of Miami-Dade County, Florida); thence West, along the aforesaid Northerly boundary and along the Northerly boundary of said "LAKESIDE MEMORIAL PARK NEGEV GARDENS", 332.95 feet; thence South, in part, along the Westerly boundary of said "LAKESIDE MEMORIAL PARK NEGEV GARDENS", for 317.14 feet; thence West for 920.79 feet; thence N. 01°24'06"W., along the West line of the East ½ of the S.W. ¼ of said Section 29, for 664.68 feet; thence S. 89°54'22"E., along the North line of the S.W. ¼ of said Section 29, for 1317.16 feet to the point of Beginning.

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: Where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

FUNERAL SERVICES ACQUISITION GROUP, INC., a Florida corporation f/k/a LM PARK, INC., a Florida corporation

NAME, ADDRESS AND OFFICE**Percentage of Stock**

* SEE SCHEDULE "A" ATTACHED

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: Where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity]

TRUST NAME**NAME AND ADDRESS****Percentage of Interest**

If the property which is the subject of the application is owned or leased by a PARTNERSHIP OR LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee or Partnership list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries or partners. [Note: Where the principal officers, stockholders, beneficiaries or partners consist of another corporation, trust, partnership or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

<u>NAME</u>	
<u>NAME AND ADDRESS (if applicable)</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

FUNERAL SERVICES ACQUISITION GROUP,
INC., a Florida corporation f/k/a LM Park, Inc., a
Florida corporation

By: John LaJoy

Name: JOHN LAJOY

Title: V.P.

COUNTRY OF CANADA)
PROVINCE OF ONTARIO)

The foregoing Mortgage was acknowledged before me this 30th day of SEPTEMBER, 2002, by JOHN LAJOY, who is personally known to me or who produced _____ as identification.

Ann Elizabeth Watson

NOTARY PUBLIC

Print Name: ANN ELIZABETH WATSON

My Commission Expires: N/A

ANN ELIZABETH WATSON
A NOTARY PUBLIC IN AND FOR
THE PROVINCE OF ONTARIO

*Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

~~Page 1~~ SCHEDULE A

Company Name
MHI Group, Inc.

Shareholder
Alderwoods Group, Inc.

% Ownership
100.0000% Common

ALDERWOODS GROUP, INC. IS LISTED ON THE NASDAQ
EXCHANGE (SYMBOL AWGI).

~~Page 1~~ SCHEDULE A ~~COBARR~~

<u>Company Name</u>	<u>Shareholder</u>	<u>% Ownership</u>
Funeral Services Acquisition Group, Inc.	MHI Group, Inc.	100.0000% Common